

Sentence Review Division
301 S. Park, Suite 328
P.O. Box 203005
Helena, MT 59620-3005
Phone: (406) 841-2976
Email: shellysmith@mt.gov

SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
STATE OF MONTANA

AUG 14 2020

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,

Plaintiff,

-vs-

WOODY JOE CAMPBELL,

Defendant.

) Cause No. DC-19-279

)

) Silver Bow County District Court

) Montana Second Judicial District

)

) **DECISION**

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)

On April 16, 2020, the Defendant was sentenced to the Montana State Prison for a term of five (5) years for the offense of Count I: Criminal Possession of Dangerous Drugs, a Felony, in violation of §45-9-102, MCA. The sentence was ordered to run concurrent to any sentence imposed prior to the April 16, 2020 Judgment date. The Defendant was given 185 days credit for time served. The Court dismissed Count II.

On August 7, 2020, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video from the Montana State Prison, and was represented by Stephanie DeBoer, Defense Counsel, who appeared by video from Missoula, Montana. The State was not represented. The Defendant gave a statement.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall

not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.


Done in open Court this 7th day of August, 2020.

DATED this 14th day of August, 2020.

SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Chairperson



Hon. Luke Berger, Member



Hon. Jessica Fehr, Member

Copies mailed or emailed this 14th day of August, 2020, to:

Clerk of District Court – *via email*
Woody Joe Campbell #3003004, Defendant
Hon. Kurt Krueger – *via email*
Stephanie DeBoer, Defense Counsel– *via email*
State Office of the Public Defender – *via email*
Ann Shea, Esq. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division